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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,619	02/18/2004	Yasuki Shimoyama	01-582	8876

23400 7590 09/08/2005

POSZ LAW GROUP, PLC  
12040 SOUTH LAKES DRIVE  
SUITE 101  
RESTON, VA 20191

EXAMINER

BLOUNT, ERIC

ART UNIT PAPER NUMBER

2636

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/779,619	SHIMOYAMA, YASUKI	
	Examiner	Art Unit	
	Eric M. Blount	2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>02182004</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tano [U.S. Patent No. 6,067,488] in view of Klausner et al [U.S. Patent No. 6,748,305].

As for **claim 1**, Tano discloses a sensor device for a vehicle having a communication network, the sensor device comprises motion detecting means for detecting motions of a vehicle (10, 11) and storage means capable of updating stored content and holding the stored content in case a power supply is interrupted (column 4, lines 23-35). The device also comprises updating means for updating the content stored in the storage means in a manner that results detected by the motion detecting means are stored in the storage means for a holding period (column 4, lines 33-35 and column 5, lines 10-13). Tano discloses that the sensor device comprises collision detecting means for detecting a collision of the vehicle from acceleration exerted on the vehicle (122), and a storage holding means which, when the collision is detected by the collision detecting means, discontinues operation of the updating means and holds the content stored in the storage means (column 5, lines 48-54). There are transmission means for transmitting the results detected by the motion detecting means and stored in

Art Unit: 2636

the storage means (column 5, lines 16-20). Tano does not specifically teach that a plurality of electronic control units are connected through a communication network to the sensor device.

In an analogous art, Klausner discloses a device and method for analyzing and storing data in a vehicle. The device includes a communication network and a plurality of electronic control units for vehicle controls (Figure 1). Sensors may be provided for obtaining vehicle relevant data and this data may be transferred over the communication network to other components on the network (column 4 – column 5, line 36). It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to modify the system taught by Tano to include the communication of sensor data over a vehicle network because the combination would take advantage of a vehicle data bus to store and analyze vehicle relevant data for later retrieval.

As for **claim 2**, the storage holding means discontinues the operation of the updating means after a passage of a standby period set to be shorter than the holding period (Tano, column 5, lines 10-41).

Regarding **claim 3**, the motion detecting means includes at least one of a longitudinal G sensor for detecting acceleration exerted in a direction in which the vehicle is traveling, a lateral G sensor for detecting acceleration exerted in a direction of width of the vehicle and a yaw rate sensor for detecting acceleration about the turning axis of the vehicle (Tano, column 4, lines 23-55).

As for **claim 4**, Tano discloses a receiving means for receiving data representing the operating state of the vehicle. The updating means updates the content stored in the storage means in a manner that the results detected by the motion detecting means are stored in the storage means (column 4, line 65 – column 5, line 1). Tano does not specifically disclose that operation data is received and stored in the storage means. Klausner discloses that operation data may be obtained and stored in a storage means (column 6, lines 24-60 and column 7, lines 53-56). It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to modify the invention of Tano to include the transmission of information over the vehicle communication network for storage because this information transferred over the network could be used for further analysis of vehicle information.

Regarding **claim 5**, Klausner discloses that operation data may include the operation state of a brake system (column 7, lines 53-63).

### ***Conclusion***


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M. Blount whose telephone number is (571) 272-2973. The examiner can normally be reached on 8:00 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eric M. Blount  
Examiner  
Art Unit 2636

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JEFFERY HOFSSASS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600